

CHAP. 323. otherwise to dispose of, for the use of said academy, in such manner as to them or a majority of them, shall seem most beneficial to the institution, and to receive the rents, issues, profits, income and interest of, and to employ the emoluments to the proper use and advancement of the said academy.

Legal capacity.

SEC. 2. *And be it enacted*, That the said trustees and their successors, by the name and style aforesaid, shall be capable in law and equity to sue and be sued, plead and be impleaded in any court or courts and before any judge, justice or justices, within this State and elsewhere, in all manner of suits, complaints, pleas, causes, matters and demands of whatever kind, nature or form they may be, and all and every other matter or thing to do therein, in as full and effectual a manner as any person or persons, bodies politic or corporate within this State, in like causes may or can do or perform; and the said trustees, or a majority of them, shall have full power and authority to have, make and use one common seal, which they may break, alter and change at pleasure, may make by-laws, not contrary to the laws of this State or of the United States, and do all acts necessary for the regulation, prosperity and promotion of education in said academy.

Have a common seal.

Election to be held for 7 trustees.

SEC. 3. *And be it enacted*, That an election for seven trustees shall be held on the first Monday of May, eighteen hundred and forty-seven, and on the first Monday in every succeeding May thereafter, at the said academy, which said election shall be by ballot and conducted as follows, to wit: every free male citizen, who is entitled to vote for delegates to the legislature, shall be entitled to vote for trustees; *provided*, that he may have contributed to the building of said academy, to the amount of not less than five dollars, or at the time of the election of said trustees, shall send a pupil or pupils to said academy; *provided always*, that nothing herein contained shall be construed to forfeit said charter, unless by neglect an election shall not be had within six months after the regularly appointed time.

Proviso.

In case of death, resignation, &c.

SEC. 4. *And be it enacted*, That if any of the trustees of said academy shall die, resign or remove out of Howard District, the remaining trustees shall fill the vacancy so created, and the trustee or trustees so elected, shall serve until the annual election, to be held at the time before mentioned.

Pay annually.

SEC. 5. *And be it enacted*, That the Treasurer of the State of Maryland be, and he is hereby authorised and